UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF OHIO

JUDGMENT IN A CIVIL CASE

Karen S. Randolph, :

Plaintiff, :

v. : Case No. 2:07-cv-0424

Michael J. Astrue, : JUDGE MARBLEY

Commissioner of Social Security, MAGISTRATE JUDGE KEMP

Defendant.

[] **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

[] **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

[X] **Decision by Court.** This action was decided by the Court without a trial or hearing.

IT IS ORDERED AND ADJUDGED That pursuant to the September 23, 2008 Order, plaintiff's objections to the Report and Recommendation of the Magistrate Judge are OVERRULED, and the Report and Recommendation is ADOPTED. The plaintiff's statement of errors is OVERRULED, the decision of the Commissioner is AFFIRMED, and the Clerk is directed to enter judgment in favor of the defendant.

Date: September 23, 2008 James Bonini, Clerk

s/Betty L. Clark

Betty L. Clark/Deputy Clerk